CLR No. 415 of 2001
(Old No. 248 of 1994)
Hon'ble B.C. Kandpal, J.

This revision has been preferred against the judgment and decree dated 18.03.1994 passed by Civil Judge, Roorkee thereby rejecting the objections to the award and making it a rule of the Court in Misc. Case No. 42 of 1991arising out of Original Suit No. 54 of 1991.

Heard learned counsel for the parties and perused the record.

As the remedy of the appeal against the impugned judgment and award is available under Section 39 of the Arbitration Act, 1940, therefore, the revision is not maintainable.

Accordingly, the revision is dismissed on the ground of maintainability.

(B.C. Kandpal, J.)

12.09.2006
ASWAL